

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii 96813

January 25, 2019

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

OAHU

Issuance of a Right-of-Entry to Elite Pacific Construction Inc., for improvements to the existing Pu'u 'Ualaka'a State Park Radio Communication Facility at the Honolulu Fire Department Master Transmitter Site, Opu, Makiki, Honolulu, O'ahu, Hawai'i, Tax Map Key: (2)-5-019:011 (Portion).

APPLICANT:

Elite Pacific Construction Inc. (EPC), whose mailing address is 46-174 Kahuhipa Street, Suite B2, Kaneohe, HI 96744.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Pu'u 'Ualaka'a Honolulu Fire Department Master Transmitter Site, Opu, Makiki, Honolulu, O'ahu, Hawai'i, Tax Map Key: (2)-5-019:011 (Portion) as shown on the attached map labeled Exhibit A.

AREA:

Existing site boundaries is approximately 3,650 square feet

ZONING:

State Land Use District Conservation
City and County of Honolulu LUO: P-1

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Set aside for use by the Honolulu Fire Department as a Master Transmitter Site by Governor's Executive Order 1215, to be under the control and management of the Board of Supervisors of the City and County of Honolulu.

CHARACTER OF USE:

Facility for communication systems for public safety, emergency response, and law enforcement.

COMMENCEMENT DATE:

Upon the Chairperson's approval for Right-of-Entry (ROE)

MONTHLY RENTAL:

Gratis.

COLLATERAL SECURITY DEPOSIT:

Not applicable.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200-8, Hawaii Administrative Rules (HAR), and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 2, Item 8. Replacement or reconstruction of existing bollards, walls, gates, fences, lighting and other similar items necessary for the security or continued operation of a facility or structure; and Item 13. Replacement or reconstruction of existing electrical, telemetry, or communications systems and the structures that house or protect them; and exemption Class No. 6. Construction or placement of minor structures accessory to existing facilities, the land uses are exempt from the preparation of an Environmental Assessment. See Exhibit B attached.

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>X</u>	NO
Registered business name confirmed:	YES	<u>X</u>	NO
Applicant in good standing confirmed:	YES	<u>X</u>	NO

REMARKS:

Proposed improvements are to improve the generator and the runtime of the facility. The generator's power output is insufficient to provide backup power to: the equipment in the facility; the air-conditioning units; and to adequately provide charging of the backup batteries. The electronic equipment generates heat under normal operations and without adequate cooling; the electronic equipment may become susceptible to heat damage. The warranties for the backup batteries require that the units be stored in a cool temperature-controlled environment.

The existing equipment building will be modified to allow for the installation of the new larger diesel generator that will provide for the installation of improved air conditioning units that will permit the installation of additional equipment within the equipment room in case there are future requirements for the emergency communication system. The floor area of the existing building will increase, and the concrete roof will be extended to cover the enlarged area. Stainless steel enclosures will be installed to protect the air conditioning units and wire ducts.

The Scope of Work includes:

1. Enlarge the existing building from 865-ft² to 1013.5-ft²;
2. Remove the exhaust vent on the roof;
3. Reroof the building;
4. Remove the existing propane tank and CMU wall surround;
5. Remove existing propane generator and concrete pad;
6. Provide new 2,000-gallon diesel fuel tank with new CMU wall surround and relocate;
7. Provide a new diesel generator;
8. Remove the existing wood utility pole at the front South corner of the site;
9. Remove a small steel tower to the side of the existing building;
10. Remove a steel tower on the roof;
11. Replace the existing 6-ft chain link fence with an 8-ft fence topped with barb-wire;
12. Replace existing doors with stainless steel doors;
13. Replace four air conditioning units with two split system air conditioning units;
14. Provide new concrete paving and gravel strip for drainage; and
15. Repaint the building in a compatible tone.

OCCL ANALYSIS:

The OCCL notes that project site is located within the Resource Subzone of the State Land Use Conservation District. The current facility is sited on lands under Executive Order No. 1215 to the City and County of Honolulu for use as a master transmitter site. Improvements to the site were approved by the Board of Land and Natural Resources on October 12, 1973 via Conservation District Use Permit (CDUP) OA-444 for the Expansion of Existing Facilities and CDUP OA-2628 for the Honolulu Police Department Communications Facilities Upgrade which established the current conditions of the site.

The proposed improvements are identified land uses pursuant to the Hawaii Administrative Rules (HAR) §13-5-22, P-9 STRUCTURES, ACCESSORY (B-1) Construction or placement of structures accessory to existing facilities or uses; and P-8 STRUCTURES AND LAND USES, EXISTING (B-1) Demolition, removal, or minor alteration of existing structures, facilities, land, and equipment. The improvements are within a previously disturbed area and appear to be minor in scope. In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and Chapter 11-200, HAR, and pursuant to the Exemption List for the Department, specifically exemption class 2 Replacement or reconstruction of existing structure and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced; DLNR exemption 2-8 Replacement or reconstruction of existing bollards, walls, gates, fences, lighting and other similar items necessary for the security or continued operation of a facility or structure; DLNR exemption 2-13 Replacement or reconstruction of existing electrical, telemetry, or communications systems and the structures that house or protect them; and exemption class 6 Construction or placement of minor structures accessory to existing facilities, the land uses are exempt from the preparation of an Environmental Assessment. The City's Department of Design & Construction was consulted in regard to the HRS, Chapter 343 exemption and has concurred. SPA: OA 19-33 attached as EXHIBIT C.

There are no other pertinent issues or concerns. Staff has no objection to the request.

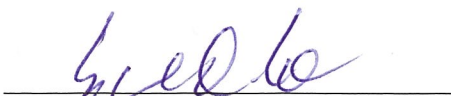
RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this activity will have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a Right-of-Entry to Elite Pacific Construction Inc., for access, covering the subject area for the proposed improvements to the existing facility as mentioned herein under the terms and conditions cited above, which are incorporated and further subject to the following:
 - a. The standard terms and conditions of the most current right-of-entry form, as may be amended from time to time; and
 - b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


Curt A. Cottrell
Administrator

APPROVED FOR SUBMITTAL:


Suzanne D. Case
Chairperson

ATTACHMENTS:

- EXHIBIT A – Pu’u ‘Ualaka’ a Microwave Tower Site
- EXHIBIT B – Exemption Notification
- EXHIBIT C – Letter to Next Design from Office of Conservation and Coastal Lands

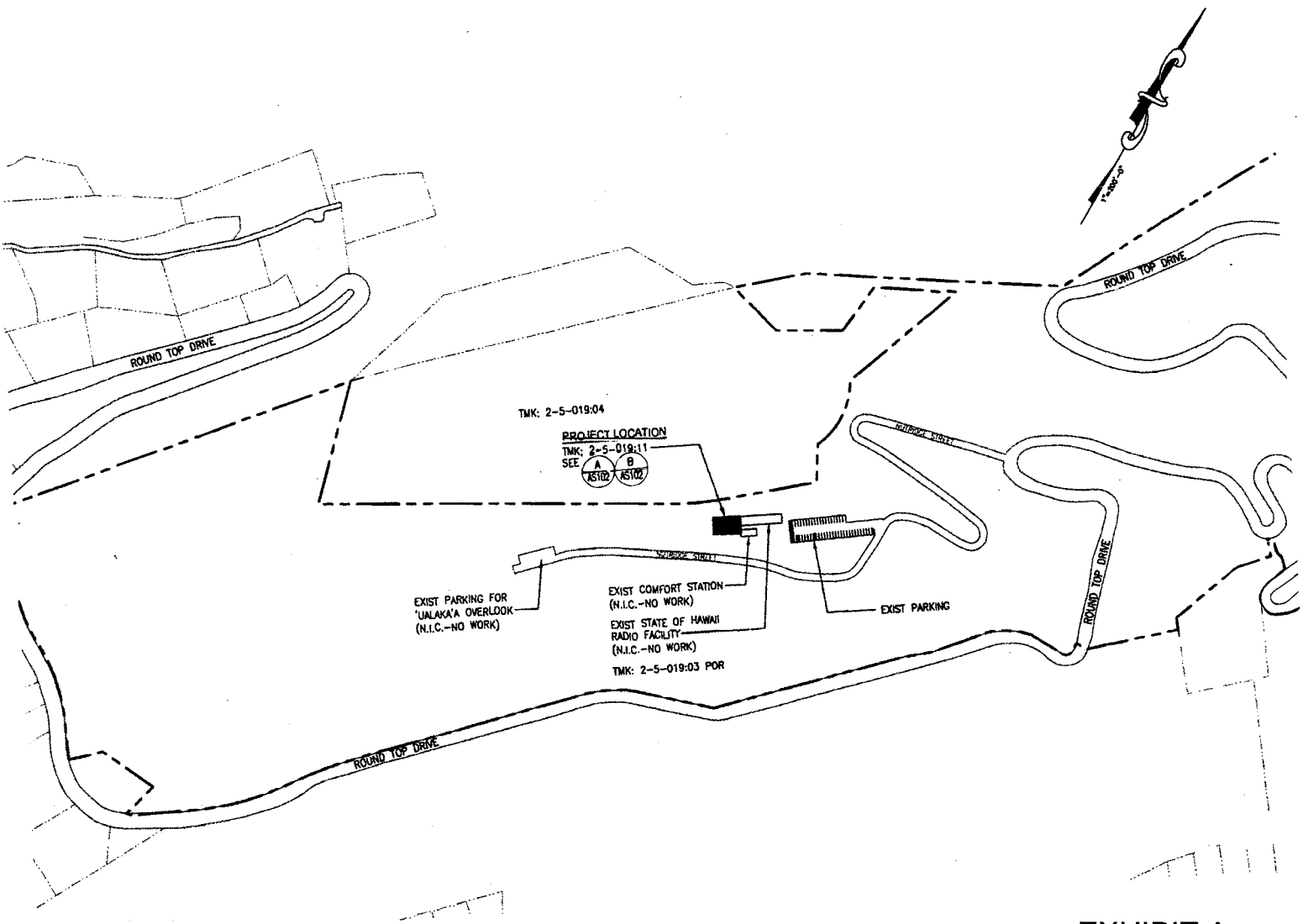


EXHIBIT A



STATE OF HAWAII

SURVEY DIVISION

**DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU**

C.S.F. No. 23,046

November 24, 2000

PUU UALAKAA MICROWAVE TOWER SITE

Opu, Makiki, Honolulu, Oahu, Hawaii

Being a portion of the Government Land of Opu.

Beginning at the west corner of this parcel of land and at the north corner of Honolulu Fire Department Master Transmitter Site, Governor's Executive Order 1215, the coordinates of said point of beginning referred to Government Survey Triangulation Station "ROUND TOP" being 576.66 feet North and 638.54 feet East, thence running by azimuths measured clockwise from True South:-

- | | | |
|----|----------|---|
| 1. | 236° 10' | 28.00 feet along Round Top Forest Reserve,
Governor's Proclamation dated August 10,
1916; |
| 2. | 332° 00' | 30.08 feet along Round Top Forest Reserve,
Governor's Proclamation dated August 10,
1916; |
| 3. | 56° 10' | 24.94 feet along Round Top Forest Reserve,
Governor's Proclamation dated August 10,
1916; |

November 24, 2000

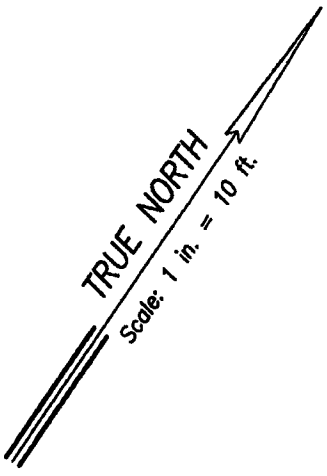
4. 146° 10'

29.92 feet along Honolulu Fire Department Master Transmitter Site, Governor's Executive Order 1215 to the point of beginning and containing an AREA OF 792 SQUARE FEET.

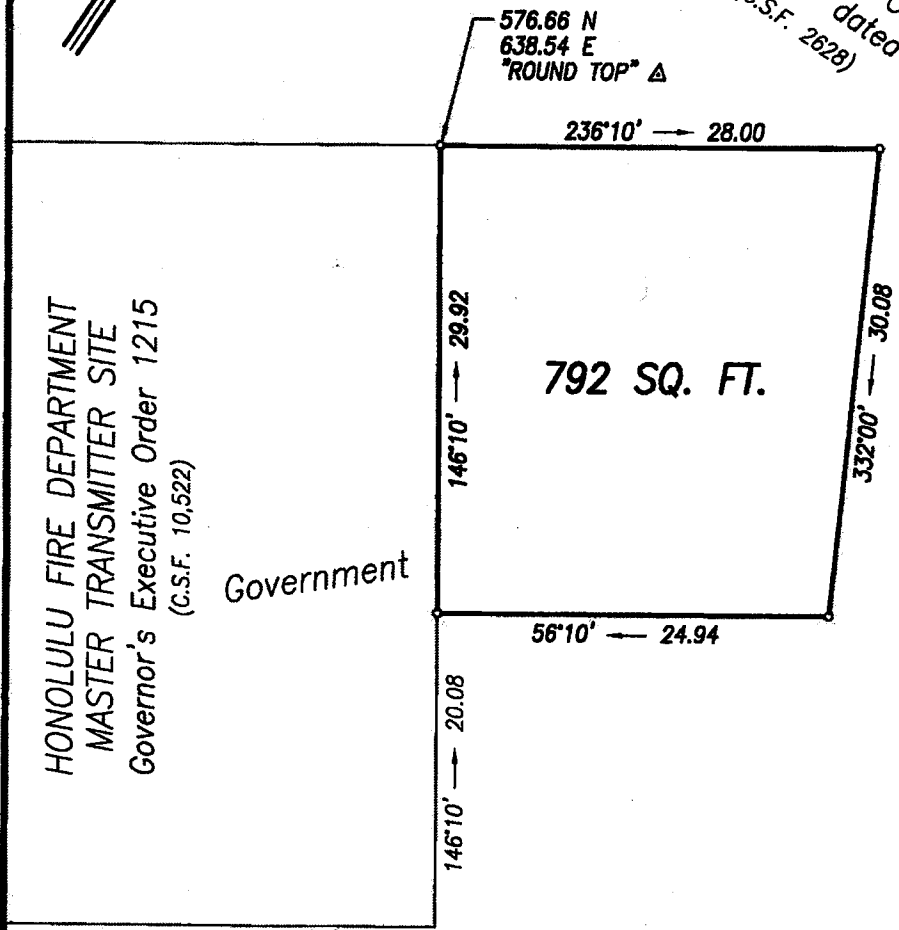
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Ronald S. K. Sumida
Ronald S. K. Sumida
Land Surveyor gm

Compiled from CSFs 2628,
10522, 20686 and other Govt.
Survey Records.
TMK: 2-5-19:por. 3



ROUND
 Governor's
 TOP
 Proclamation dated
 (C.S.F. 2628)
 FOREST
 Reserve dated August 10, 1916



PUU UALAKAA MICROWAVE TOWER SITE

Opu, Makiki, Honolulu, Oahu, Hawaii

Scale: 1 inch = 10 feet

JOB 0-89(99)
 C. BK.

TAX MAP 2-5-19: Par. 3

C.S.F. NO. **23,046**

SURVEY DIVISION
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

R.S. Nov. 24, 2000

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

DIVISION OF STATE PARKS
1151 Punchbowl Street, Room 310
HONOLULU, HAWAII 96813

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISI AND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Issuance of Right-of-entry for Elite Pacific Construction Inc.

Project Number: TBD

Project Location: Pu'u 'Ualaka'a Honolulu Fire Department Master Transmitter Site, Opu, Makiki, Honolulu, O'ahu, Hawai'i, TMK: (2)-5-019: 011 (Portion)

Chap. 343 Trigger(s): Use of State Land

Project Description: Right-of-entry for Elite Pacific Construction Inc. for improvements to the existing Pu'u 'Ualaka'a State Park Radio Communication Facility at the Honolulu Fire Department Master Transmitter Site.

Consulted Parties: Office of Conservation and Coastal Lands

Exemption Class & Description: Exemption Class No. 2, Item 8. Replacement or reconstruction of existing bollards, walls, gates, fences, lighting and other similar items necessary for the security or continued operation of a facility or structure; and Item 13. Replacement or reconstruction of existing electrical, telemetry, or communications systems and the structures that house or protect them; and exemption Class No. 6. Construction or placement of minor structures accessory to existing facilities.

Recommendation: Division of State Parks declares that this project will have minimum or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

EXHIBIT B



RECEIVED
NOV 13 2018
NEXT DESIGN



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

2018 NOV 13

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

REF:OCCL:TM

SPA: OA 19-33

NOV 13 2018

Edward Iwanaga
Next Design
1132 Bishop St., Suite 145
Honolulu, HI 96813

SUBJECT: Site Plan Approval for the Pu'u Ualaka'a Radio Communication Facility Improvements Located at 3278 Round Top Drive, Makiki, Oahu, TMK: (1) 2-5-019:011

Dear Mr. Iwanaga:

The Office of Conservation and Coastal Lands (OCCL) has reviewed the submitted information regarding the subject matter. According to your information, the existing facility provides communication systems for public safety, emergency response and law enforcement and is managed by the City and County of Honolulu's Department of Information Technology.

Proposed improvements are to improve the generator and the runtime of the facility. The generator's power output is insufficient to provide backup power to: the equipment in the facility; the air-conditioning units; and to adequately provide charging of the backup batteries. The electronic equipment generates heat under normal operations and without adequate cooling; the electronic equipment may become susceptible to heat damage. The warranties for the backup batteries require that the units be stored in a cool temperature controlled environment.

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7. Provide a new diesel generator;

EXHIBIT C

8. Remove the existing wood utility pole at the front South corner of the site;
9. Remove a small steel tower to the side of the existing building;
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ANALYSIS

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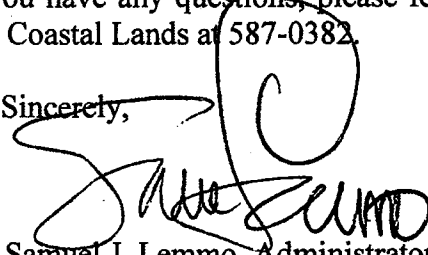
The OCCL notes the proposed improvements will provide protection to equipment, meet professional communications standards and allow for upgrades, and insure some power back up in case of emergency at the existing established site. Therefore, Site Plan Approval (SPA) is hereby granted for the Pu'u Ualaka'a Radio Communication Facility improvements located at 3278 Round Top Drive, Makiki, Oahu, TMK: (1) 2-5-019:011 as described in this document subject to the following conditions:

- 1) The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
- 2) The permittee, its successors and assigns, shall indemnify and hold the State of Hawai'i harmless from and against any loss, liability, claim, or demand for property damage,

- personal injury, and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit;
- 3) The permittee shall obtain appropriate authorization from the department for the occupancy of state lands, if applicable;
 - 4) The permittee shall comply with all applicable department of health administrative rules;
 - 5) The permittee understands and agrees that this permit does not convey any vested rights or exclusive privilege;
 - 6) Unless otherwise authorized, any work or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the chairperson or authorized representative [**attached**], and shall be completed within two years of the approval of such use. The permittee shall notify the department in writing when construction activity is initiated and when it is completed;
 - 7) In issuing this authorization, the department has relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
 - 8) Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
 - 9) Obstruction of public roads, trails, and pathways shall be avoided or minimized. If obstruction is unavoidable, the permittee shall provide alternative roads, trails, or pathways acceptable to the department;
 - 10) During construction, appropriate best management practices and mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
 - 11) In the event that unrecorded historic remains (i.e., artifacts, or human skeletal remains) are inadvertently uncovered during construction or operations, all work shall cease in the vicinity and the applicant shall immediately contact the State Historic Preservation Division (692-8015);
 - 12) Other terms and conditions as may be prescribed by the Chairperson; and
 - 13) Failure to comply with any of these conditions shall render this Site Plan Approval null and void.

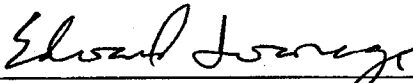
The fee for a Site Plan Approval is \$50.00. Therefore we are returning your check #14163 for \$250.00. Please acknowledge receipt of this approval, with the above noted conditions in the space provided below. Please sign two copies. Retain one and return one copy to the OCCL with the SPA fee of \$50.00. Should you have any questions, please feel free to contact Tiger Mills of our Office of Conservation and Coastal Lands at 587-0382.

Sincerely,



Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

Receipt acknowledged:



Permittee's Signature

Date: 11/19/2018

c: Chairperson
ODLO/SP/C&C; DE&P